

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES,

-v.-

DIANE KAYLOR,

Defendant.

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**ORDER**

12-CR-357-2 (DRH)  
17-CV-7336 (DRH)

**HURLEY**, Senior District Judge:

Presently before the Court is Diane Kaylor’s (“Defendant”) motion for an order issuing a certificate of appealability in connection with this Court’s October 15, 2019 order denying her Section 2255 petition. (DEs 534, 535.) Defendant has failed to meet the standard for issuing a certificate of appealability. A certificate of appealability should be entered where there has been a “substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2); *see Matthews v. United States*, 682 F. 3d 180, 185 (2d Cir. 2012). Defendant has not made such a showing, initially or in the current motion. Accordingly, Defendant’s motion for an order issuing a certificate of appealability is denied.

**SO ORDERED.**

Dated: Central Islip, New York

December 17, 2019

/s/ Denis R. Hurley  
Denis R. Hurley  
United States District Judge